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INTEROCEAN COAL SALES, LDC

Plaintiff,

v.

EVONIK TRADING GmbH, an alien
corporation, EVONIK DEGUSSA
CORPORATION, an Alabama corporation,
EVONIK INDUSTRIES, AG, an alien
corporation, and EVONIK STEAG GmbH, an
alien corporation,

Defendants.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No.: 11-civ-0940

NOTICE OF APPEARANCE

To the Clerk of this court and all parties of record:

PLEASE TAKE NOTICE that Patrick J. Hughes of Connell Foley LLP hereby enters an appearance as counsel in this case on behalf of defendant, Evonik Industries AG.

This appearance is without prejudice to challenge personal jurisdiction, service of process, or to assert any and all other applicable defenses in this action.

I certify that I am admitted to practice in this court.

CONNELL FOLEY LLP
Attorneys for Defendant,
Evonik Industries AG

/s/ Patrick J. Hughes
Patrick J. Hughes

Dated: March 18, 2011